

## MARTIN STILL IN FIGHTING MOOD

Colorado Representative Determined to Further Probe Friar Lands Sale.

### SCORES ADMINISTRATION FOR THE ACTION TAKEN

Declares Recent Disclosures Fully Demonstrate Necessity of Complete Investigation.

WASHINGTON, April 15.—Representative Martin (Democrat) of Colorado, who for weeks has been waging a fight in the house to show the friar lands of the Philippine Islands are being seized by the "sugar trust" with the acquiescence of Attorney General Wickersham and the war department, tonight gave to the press an interview, in which he reviews his efforts, assails the government officials alleged to be involved, charges that information that would prove his contention is being withheld by the war department, and demands a full congressional inquiry into the matter.

Mr. Martin characterizes the action of the Republican majority of the house yesterday in defeating his resolution calling upon the war department for information on the sale of the friar lands as a "blanketing movement."

He points out a number of alleged discrepancies in the reports sent by the war department to the house committee on insular affairs, the friar lands transaction, and accuses the government officials of duplicity.

**Wants the Lid Off.**  
He charges the administration with having begun a "policy" of exploitation in the Philippine Islands, and declares, "If it has been falsely accused, let it take off the lid."

Mr. Martin announced he was preparing a new resolution of inquiry into the friar land deal, which he would introduce in the house as soon as drafted. Mr. Martin's statement follows:

"If there ever was any doubt about the necessity of an investigation of the Philippine affairs, it is removed by the disclosures made by the war department in response to my resolution of inquiry. I learned three days ago that the war department had furnished Chairman Olmsted of the insular committee, what purported to be the information called for in my resolution, and I requested Mr. Olmsted to let me see it. This he refused."

"I wanted to see this matter before it was reported to the house, because I knew it would be accompanied by a resolution to table my resolution as having served its purpose, thereby cutting off debate and preventing a further airing of the matter on the floor. This occurred yesterday as I anticipated. It was simply a blanketing move."

**Claims Justification.**  
The war department report, upon examination, discloses such a motive. It discloses to me the fact that the war department and attorneys for the purchasers of the friar lands in the Philippines for several months prior to the sale, also between the war department and the Philippine government, whereas the war department in a communication published in the Congressional Record on March 28, stated its first information concerning the sale of this estate was received through the public press. This affirms my contention that this deal has been under way for months, and was practically consummated before Attorney General Wickersham was asked for an opinion."

It was also stated that when the secretary of war heard about this matter through the newspapers he cabled the Philippine government to hold up the sale until he could get an opinion from Attorney General Wickersham. No such cablegram appears in the information now furnished. On the contrary, there appears one from the department dated September 24, 1909, the very day Wickersham's opinion was asked, approving the sale of the San Jose estate, which had already been made."

"Another cablegram from the government, dated October 1, 1909, shows the sale was not to Poole, as heretofore represented by the war department, but to Poole or his nominee. Poole's nominee is or will be a subsidiary sugar trust corporation, probably the Mindanao Development company, already organized by dummy incorporators under the laws of New Jersey."

"Then there is a cablegram dated October 22, from the government to the secretary of war, stating that the secretary of war desired to purchase the San Jose estate. This cablegram refers to prior negotiations by one Hammond with the war department about these friar lands. This Hammond, it develops, is a member of the firm of Strong & Cadwallader of New York, of which Henry W. Taft is now the second member, to which rank he was promoted from fifth place, when Mr. Wickersham left the firm to become attorney-general."

"Mr. Hammond opened negotiations with the war department, and then obviously for appearance sake, turned their consummation over to another firm of attorneys. Hammond represented Havemeyer. The purchaser, Poole, represented Havemeyer. Havemeyer is the sugar trust."

"I could point out many other things, but the proper time and place to point them out will be in a congressional investigation. The administration must investigate this matter, or stick its head in the sand like an ostrich, to blind its eyes to the storm that is coming."

"I have charged the administration with having begun a policy of unlawful exploitation in the Philippines and every development goes to establish the truth of the charges. If the administration has been falsely accused, let it take off the lid."

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## STRONG LOBBY OF INTERESTS

Continued From Page One.

On Secretary Garfield and congress to secure their patents.

Mr. Pierce said he stipulated with John P. Gray, one of the counsel for the Cunningham claimants, that the cases should not be heard before the January register and receiver, who ordinarily would have had jurisdiction, because the receiver's son was one of the claimants and because he realized that the same influence would be exerted by these officers as was apparent in Washington. He thought these influences might warp their judgment.

The committee questioned Mr. Pierce along lines regarding the Cunningham claims and as to whether he would be in effect, the court of last resort in deciding whether the claimants were entitled to their patents. The witness replied that neither the claimants nor the government would have an appeal from his decision.

"How do you reconcile your judicial function with that of prosecutor?" inquired Senator Root.

**Evades Direct Answer.**  
"That is a question which has bothered me a great deal," replied Mr. Pierce.

He expressed the opinion that the prosecution of land cases should rest with the department of justice. He explained, however, that when officials of the general land office appeared before him in the role of prosecutors he considered them as such and did not allow the fact that they were government officers to influence his decision.

Representatives Graham and James sought to obtain an admission from the witness that his administration in any case would be subject to review by a secretary. Mr. Pierce said he supposed the secretary would have a legal right to do so, but he could not recall any case where the secretary had reversed or revised a decision of one of his assistants.

"I want to say right here," exclaimed Mr. Pierce, "that no decision will be announced in these Cunningham claims until every one of the twenty-five lawyers in my department has made an exhaustive examination of the record. When this is done I shall send the record to the department of agriculture and ask for similar careful examination at the hands of the large force of lawyers there."

This extraordinary case which he proposed to give to these cases due to the magnitude of the claims or to the publicity which they have attracted."

"Both," retorted the witness.

The luncheon recess was taken at this time.

**Wrangle of Attorneys.**

A controversy between Attorneys Brandeis and Vertrees was precipitated soon after the committee convened for the afternoon session. Mr. Pierce had concluded his direct examination and Mr. Vertrees had turned the witness over to Mr. Brandeis, when the latter announced:

"I don't desire to cross-examine Mr. Pierce until after I have had an opportunity to examine Secretary Ballinger."

Mr. Vertrees was on his feet in an instant.

"I object," he shouted. "I don't think opposing counsel should be allowed to delay such a testimony."

Representative McCull, who was in the chair, said the committee should decide the point at issue, when Mr. Pierce was recalled for cross-examination after Mr. Ballinger had been heard.

"It strikes me that Mr. Brandeis makes an unusual request," said Senator Smith. "If Mr. Brandeis desires to waive cross-examination, all right, but if he does not, I object to Mr. Brandeis being allowed to cross-examine Mr. Pierce later."

"If I have made an unusual request it must be remembered that I have been placed in an unusual position," said Mr. Brandeis. He then related how he had been denied the privilege of calling Mr. Pierce to the stand to be cross-examined by Mr. Pierce, to waive cross-examination of Mr. Pierce, to waive his questions on subordinates before he had an opportunity to put them to Mr. Ballinger.

"The shallowness of the pretense is apparent," protested Mr. Vertrees. "There is no good reason why counsel should not proceed with cross-examination now. This hearing has already been going on for three weeks, and if Mr. Brandeis is allowed to have his way in this matter it will cause much unnecessary delay."

Senator Poole moved that the matter be deferred until tomorrow, when there was expected to be a fuller attendance of the committee. The motion prevailed, after there had been an extended discussion between Vertrees and members of the committee relative to the rights of counsel.

Francis A. Clements, assistant law officer in the interior department, was the next witness called.

**Still More Delay.**  
Mr. Clements related a conversation with Glavis, the secretary of the interior, of May 28, 1905. He said Glavis had not told him that Secretary Ballinger had expressed his intention, as Glavis testified, to ask the attorney for an opinion regarding the construction of the law.

He was turned over to Mr. Brandeis for cross-examination soon after he took the stand, but the attorney said as the testimony related to a conversation with Glavis and as Glavis had been compelled to go to Oregon, he desired to forward Mr. Clements's testimony to Glavis for his personal perusal before cross-examining the witness.

The witness was then excused and Edwin C. Finney, assistant to the secretary of the interior, was called to the stand.

Mr. Finney's testimony was largely corroborative of that of Pierce and Clements. He said he was present at Glavis's meeting with Clements, and that the former had said nothing about the secretary having intended to seek an opinion from the attorney regarding the law of May 28, 1905.

Attorney Vertrees questioned the witness regarding the letter sent in response to inquiries from Senator La Follette as to Secretary Ballinger's policy with regard to entry water power sites withdrawn by Secretary Glavis. In those letters, Mr. Ballinger was quoted as saying the withdrawal of water power sites had been restored on recommendation of the reclamation commission.

The "prosecution" put on Director Newell and Chief Engineer Davis of the reclamation service to disprove this statement, both testifying they had been ordered by the secretary to order the restorations.

Mr. Finney testified he had prepared the replies to Senator La Follette in the name of Mr. Ballinger, and did not know whether Mr. Ballinger had read them or not.

In response to queries by Mr. Vertrees, Mr. Finney said he had observed nothing about Mr. Ballinger's official conduct that appeared the least bit questionable, and he regarded him as an honest, high-minded official. Mr. Finney was still under examination when the committee adjourned until tomorrow.

**HOT BATTLE OVER RIVERS-HARBORS BILL**

WASHINGTON, April 15.—At the rate of progress made today by the senate in the consideration of the rivers and harbors bill, the railroad bill will be side-tracked for some time. Only four or five pages of the former measure were disposed of.

Senator Burton occupied most of the time in the delivery of a speech sharply antagonizing the measure, making no improvement, and will continue tomorrow. Senators generally gave respectful consideration to the speech, but so many of them are interested in the bill that little headway against it.

Mr. Burton declared the country had gone wild over the construction of locks and dams. He instanced improvements of this character on the Kentucky, Green and the Big Sandy rivers of Kentucky, contending that notwithstanding millions had been expended on them there had been a falling off in tonnage. All this meant, he said, that that sort of

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If it's a McKibbin it's right, be it Blue, be it Black You wear it with pleasure and won't take it back.

transpiration is going out of existence. Replying to questions from Mr. Newlands, Mr. Burton said he believed that the department of justice, the instance of two men deserving special attention. These were the Ohio river and the Welland canal, Chicago now has a fourteen-foot waterway from Chicago direct to Europe, but uses it to its full extent.

Mr. Burton advocated a system under which local communities should share the cost of the work. This system, he said, is largely in operation in Europe.

After speaking for three hours, Mr. Burton suspended for the day. The reading of the bill proceeded. When the paragraph appropriating \$100,000 toward the construction of the harbor of refuge at Sandy Bay, Mr. Burton moved to strike it out.

Mr. Lodge resisted, and, among other things, said that if the harbor had been completed the steamer Portland might have been saved. The amendment to strike out was voted down.

**LAWYERS BLAMED FOR LITIGATION IN ALASKA**

WASHINGTON, April 15.—The miners of Alaska had no trouble over their mining claims until the lawyers got their hands on them. The great American bog institution, but settled everything amicably through their miners' associations.

This was the declaration of Delegate Wickersham of Alaska before the house committee on territories, which had under consideration the granting of powers of attorney in staking claims was the immediate subject of discussion.

The attorney of attorney has grown so great in Alaska," continued Mr. Wickersham. "that we have a saying up there that a miner starting on a claim should take with him a bottle of whiskey and a sled-load of powers of attorney. A man who grub-stakes a miner should be allowed to give him a power of attorney, but beyond there should be some restrictions."

**Unable to Agree.**  
WASHINGTON, April 15.—President Taft and his cabinet are unable to agree on a bill to regulate the government would continue to make seizures of this product in order to force the miners to test the matter in the courts.

**Look for Everything That Is Good and Stylish**  
In spring and summer millinery at McHeshey's, 156 Main street.

**AUSTRIAN KING HONORS TEDDY**  
Continued From Page One.

not been in Vienna since he began his diplomatic career here, twenty-seven years ago under President Taft's father, who was then American minister.

The day included an official visit, lasting an hour, to Count von Aehrenthal, the Austrian foreign minister, who had been in the city for a day of courtesy on Archduke Francis Ferdinand, heir apparent to the throne, at Belvedere palace; a visit to the tomb of the Hapsburgs, where, under the guidance of a capucine monk, he laid wreaths on the tomb of Empress Elizabeth and Crown Prince Rudolf; a tour of inspection of the Spanish riding school founded by Charles VII, and of the imperial Hussar barracks, accompanied by the American journalists, and a dinner given in his honor at the foreign office tonight by Count von Aehrenthal.

**Is Still Strenuous.**  
Yet after the long day, when Col. Roosevelt returned to his hotel tonight he mounted the stairs two at a time.

Col. Roosevelt used the imperial court carriage placed at his disposal by Emperor Francis Joseph, until his official call had ended. Then he discarded it for an automobile.

He enjoyed the exhibition at the riding school, where the celebrated Lipizzan breed of horses, a mixture of Arab and Andalusian blood, performed the daintiest of evolutions. Among the quadrille, and finally coming onto the platform where Col. Roosevelt sat and circling his chair so close that their hoofs almost touched his feet. But, as these are only society horses, he remarked afterward.

A clattering charge of the Magyar Hussars which constitute the emperor's bodyguard, across the parade ground of the barracks, on the contrary, stirred him to real enthusiasm and after the revolutions, he made a detailed inspection of the stables, the courtyard, and, volleying questions at the officers who accompanied him.

**Arouses Enthusiasm.**  
Such intimate knowledge of the cavalry and its operations did he display that the enthusiastic officers refused to regard him as an ex-president, but as a colonel of rough-riders, and as a companion-at-arms and they concluded the inspection by escorting Colonel Roosevelt to their mess-room where his health was drunk and three cheers were given him.

Throughout the day the people of Vienna displayed the keenest curiosity and interest in the American ex-president, collecting in crowds wherever he appeared and often cheering him. Colonel Roosevelt acknowledged every popular manifestation by bowing and raising his hat.

The newspapers of Vienna gave the heartiest welcome to Colonel Roosevelt, saying they have special reasons for the friendly feelings to one under whose presidency the relations between the dual monarchy and the United States were always pleasant.

Colonel Roosevelt at the dinner to

night escorted to the table the Countess Festetics, formerly Lady Mary Douglas Hamilton, once wife of the Prince of Monaco, Count Kinsky, who won the grand national steeplechase, sat on the left. Opposite Colonel Roosevelt sat Count von Aehrenthal, who had at his left Prince Montenuovo, second grandmaster of the court, and Mrs. Kerecs, wife of the American ambassador at his right.

**Many Notables Present.**  
Among others of the forty guests were Kermit Roosevelt, Count Aurnperg, commander of the emperor's bodyguard; Count Hoyos, a famous hunter who has killed bears in Alaska and lions in Africa; Baron Richard von Bieck, the Austrian premier; Count Wilczek, whose famous eleventh century castle Colonel Roosevelt will visit tomorrow; while Prince Trauttmansdorff, Marquis Pallavicini, Austrian ambassador to Turkey; Baron Burian, minister of finance; Captain Hohenhausen, a sportsman, writer and personal friend of Colonel Roosevelt; Baron Hengelmüller von Hengervar, Austro-Hungarian ambassador to the United States, and the members of the American embassy.

Colonel Roosevelt's programme tomorrow includes an automobile trip in the morning to Count Wilczek's castle, Embassy Kerecs's luncheon at the Hotel Bristol, a visit to the international sporting exhibition, a court dinner at Schoenbrunn castle, a short visit to the imperial opera and a reception to the American colony at the embassy.

**ANGRY AT REPORT OF PRESIDENTIAL CANDIDACY**  
VIENNA, April 15.—Theodore Roosevelt was indignant today when he learned that a report had been printed in Paris and cabled to America that one of the results of the recent conference with Gifford Pinchot was an agreement on the part of the former president to the use of his name as a candidate for the presidency.

Mr. Roosevelt again reiterated that he had not, and would not, "make any declaration in regard to American politics while in Europe." He had received and talked with Mr. Pinchot, he said, as he would receive and talk with any other political friend.

Mr. Roosevelt said he would hereafter decline to receive the newspaper correspondent who had given currency to this report.

The story to which Mr. Roosevelt referred appeared originally in the Secolo XIX of Genoa and was repeated in special dispatches to Paris and thence to the United States. It stated that Mr. Roosevelt had reached an agreement with Mr. Pinchot, and that if it became opportune he would become a presidential candidate.

**McHeshey's Wonderful Trimmed Hats.**  
We feel a personal pride in leading in millinery transactions—156 Main St.

**DENIES CHARGES MADE BY ROCHE**  
Continued From Page One.

that the official valuation of the board of directors.

**DETAIL OF CHARGES MADE BY ACTUARY**  
CHARLESTON, W. Va., April 15.—That the active managers of the Consolidated Casualty company before reorganization here this week under the direction of the insurance department of West Virginia collected \$57,114 in one month's time, and that they made false entries on the books of the company and false returns to the insurance department of this state today, the company was charged in the report of John D. Roche of New York consulting actuary to the insurance department, which was made public today. The company was chartered in West Virginia about two years ago. The administrative office of this company is in New York.

The actuary's report states that the condition of the company's books is such that a correct audit is almost impossible. The report says that the company owned but fifteen shares of stock and that was in the name of the president. Though the report stated that Mr. Vardaman must be stockholders the following directors are not shown on the books as stockholders: M. H. Beaulieu, Minneapolis; C. H. Burras and Mitchell D. Follansbee, Chicago; H. W. Huttig, Muscatine, Ia.; Frank Knox, Salt Lake City; James H. Peabody, Denver.

Frank Knox, president of the National Bank of the Republic, whose name appeared on the list of directors of the company, said last night that he had never been a stockholder in the company, even to the extent of a single share. He said he had been asked to be a director of the company, but he had not accepted the position. He said he had never attended a meeting of the directors of the company, and knew nothing of its management or its affairs.

## MARK TWAIN NOW VERY SICK MAN

Making Brave Fight, but Apparently Overcome by Age and Disease.

REDDING, Conn., April 15.—One feature of Mark Twain's illness, which the humorist finds hard to put up with, is his doctor's prohibition against tobacco. A sympathetic incident of the sick man's trip to his home here yesterday from New York was noted as he passed the smoking car in his invalid chair. Mr. Clemens looked up with a smile and waved a trembling hand in salute. His attendant explained the gesture by saying that he had been indulging in tobacco very little of late.

Mr. Clemens believes he will improve rapidly now that he is home again. "I am really feeling good now," he was quoted today as saying. "Bully in fact. I will be all right as soon as I get my lungs full of this good New England air."

Mr. Clemens was much fatigued from his long journey from Bermuda and very ill, but passed a comfortable night, and it was stated at the house this morning that his general condition was encouraging.

It was stated by his attending physician that Mr. Clemens has passed a comfortable day with no appreciable change in his condition and was holding his own pretty well.

**SEVERE STORM SWEEPS THE SOUTHERN STATES**  
MEMPHIS, Tenn., April 15.—The heavy storm with an average of five inches of rainfall, that swept Tennessee, Mississippi and Arkansas last night, was followed tonight by a tempest that broke over the states with added fury. Rain fell in torrents, accompanied in places by hail. The property damage will be heavy.

Accompanying this second storm was a wind which at times took on proportions of a tornado. Reports from Com. Marigold and Jonestown, Miss., indicate many small houses were leveled, and at the latter place one negro woman was killed. This is the only fatality reported. Telephone and telegraph wires in and around Memphis were disabled, and railroad traffic is delayed by washouts.

**HUNTSVILLE, Ala., April 15.**—Thousands of dollars' damage was wrought today in this section by a severe hail and rainstorm. The property damage here was at least \$10,000, while planters and truckers suffered more heavily. Trains were cancelled because of washouts.

**ST. LOUIS, April 15.**—A heavy wind, rain and hail storm struck southern Illinois and Missouri this afternoon, blowing down houses, inundating railroad tracks, washing out bridges and doing heavy damage to crops.

In Granite City, Ill., the heavy wind swept down the McKinley system car, causing lightning to strike the Purdy Orphan's home, at Madison, Ill., tearing out part of the walls and throwing the inmates into a panic.

**SENATOR PERCY READY TO FIGHT FOR CLAIM**  
JACKSON, Miss., April 15.—United States Senator Leroy Percy today demanded the question of the validity of his election be submitted to a vote of the people of Mississippi and challenged his leading opponent in the recent senatorial election, former Governor James Vardaman, to enter a primary election, to be held next November.

This deft came as the climax of a speech before the joint session of the two branches of the legislature in which Mr. Percy unparagonically denounced State Senator Theodore Bilbo and those who charged irregularity in his election.

Pending a conference between Mr. Vardaman and his friends, the entire matter was held in abeyance. Tonight it was the intention that Mr. Vardaman be heard in reply to Mr. Percy, but a storm of almost cyclonic proportions, which came up after the sessions and held everyone indoors, disarranged the plans and the legislature will hear the former governor tomorrow.

After referring to the investigation the senate had just concluded, Senator Percy continued:

Your investigation has shown to the world before this august assembly, and you have given me, that no suspicion or reproach rests upon the integrity of the state of Mississippi. I deny the will of the people of this state. I believe the same reason that made the legislature of the state of Mississippi repudiate Vardamanism makes the people of the state willing and desirous of repudiation of Vardamanism because they are weary of senseless agitation and charged breeding, I am prepared to maintain that before the people of the state."

**UNCOVERING SHORTAGE OF MAN NOW DEAD**  
KANSAS CITY, April 15.—That William J. Baehr, formerly city treasurer of Kansas City, who died recently, was short in his accounts \$63,450 was reported to the mayor today by a firm of accountants. The report says the discrepancies found in the books date from April 29, 1908. From April 29, 1908, to April 19, 1909, a shortage of \$18,000 was reported. The report says the \$18,000 was replaced on the last-named date to make the books balance for the annual examination by the Baehr, the books show, had used \$5941 to pay his own tax bills. The report of the city treasurer's office knew of the shortage, although they did not profit by it. One of the exhibits in the investigation of Baehr's check for \$200, returned from a bank marked "insufficient funds." This check, the report says, was carried on the books as cash.

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The Original and Genuine  
**HORLICK'S MALTED MILK**  
The Food-drink for All Ages.  
More healthful than Tea or Coffee. Agrees with the weakest digestion. Delicious, invigorating and nutritious. Rich milk, malted grain, powder form.  
A quick lunch prepared in a minute. Take no substitute. Ask for HORLICK'S. Others are imitations.

**T.H.NUTT'S**  
Saturday and Monday Sale  
41-43 RICHARDS STREET BOTH PHONES 3538

Fresh Ranch Eggs, per dozen . . . 25c  
Potatoes, per bushel . . . 50c  
The Broom . . . 40c  
Best 5-Tie Broom . . . 50c  
2 cans Provo Peaches . . . 25c  
50 lbs High Patent Flour . . . \$1.50  
Seed Early Rose Potatoes, per bushel . . . 75c  
3 cans Oysters . . . 25c  
10 lbs. Graham Flour . . . \$1.25  
1 lb. Oatmeal . . . 25c  
1 lb. Best Cheese . . . 20c  
5 lbs. Rice . . . 25c  
3 pgs. Cream Wheat . . . 45c  
5 lbs. Navy Beans . . . 25c

5 lbs. Sago . . . 25c  
6 bars Crystal White Soap . . . 25c  
10 bars Nugget Soap . . . 25c  
4 10c bars Glycerine Soap . . . 25c  
2 1-lb. Alaskan Salmon . . . 25c  
1 lb. Blue Ribbon Raisins . . . 10c  
1 lb. Currants . . . 10c  
3 pgs. Kellogg's Corn Flakes . . . 25c  
3 cans Blat Corn . . . 25c  
3 cans Good Fats . . . 25c  
3 cans Tomatoes . . . 25c  
1 lb. Fine Honey . . . 10c  
6 cans Baby Cream . . . 25c  
3 big cans Honeysuckle Cream . . . 25c  
6 bars Borax Castile Soap . . . 25c  
3 lbs. Compound Lard . . . 45c

**Straight Grade Flour . . . \$1.45**  
**Baker's No. 1 . . . \$1.40**

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